

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	CRIMINAL NO.
V.)	04-10129-RCL
)	
NICHOLAS ANASTASIADIS,)	
Defendant)	

ASSENTED TO MOTION FOR BRIEF CONTINUANCE OF SENTENCING

The United States of America hereby moves, by and through its undersigned counsel, that the sentencing in this matter, currently scheduled for January 3, 2007, be continued for to a date convenient to the Court on or after January 29, 2007. As grounds therefor, the government notes that defendant has filed a sentencing memorandum that asserts sentencing factor manipulation. If defendant maintains this position, the government intends to seek an evidentiary hearing in order to demonstrate to the Court that its agents did not engage in misconduct. However, the undersigned has spoken with defendant's counsel, and it appears that defendant may simply intend to argue that the effect of a law enforcement technique that was wholly appropriate undercover work as to other defendants - sending sham cocaine via a Federal Express package - had the effect of dramatically raising the Guideline range as to Anastasiades, whose prior involvement was limited to packages of marijuana.

In order to determine whether this issue can be adequately and fairly presented to the Court without the need for an evidentiary hearing, the government respectfully requests a brief

extension of the sentencing. In support of this motion, the undersigned states that she has consulted with counsel for the defendant who joins in the request for a brief continuance.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Nancy Rue
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December 27, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Nancy Rue
Nancy Rue
Assistant United States Attorney

Date: December 27, 2006